

NYC Starter Guide to Becoming a FOOD MANUFACTURER



CREATE YOUR BUSINESS

- **Create a plan** for the type of food manufacturing business you will open.
- **Register your business.** LLCs, Corporations, and Limited Partnerships register with NY State (visit <http://on.nyc.gov/state>). General Partnerships and Sole Proprietorships register with the County Clerk (visit <http://on.nyc.gov/clerk>).
- **Apply for an Employer Identification Number (EIN),** also known as a Federal Tax ID Number. This is used to identify your business. If you are a sole proprietor, you may be able to use your Social Security Number instead. Visit <http://on.nyc.gov/ein>.
- **Research the insurance you will need,** such as workers' compensation, liability, and disability insurance. Some are required for permits and licenses.



If you are selling to consumers, you will need to get a **Sales Tax ID** from NY State. Apply early to avoid delays in receiving other permits. Learn more at <http://on.nyc.gov/taxid>.



PLAN YOUR SPACE

- **Consider sharing** kitchen space with other businesses or commercial kitchen operators (<http://on.nyc.gov/shared-kitchens>). Several food entrepreneurs also opt to find space in incubators, including those created by the city (<http://on.nyc.gov/edc-incubator>).
- **If you choose to find your own space,** find a location zoned for your business. Learn more at <http://on.nyc.gov/zoning>.
- **Consult a licensed professional** to review your location and plan any construction. Only a registered architect or professional engineer may submit plans to the NYC Department of Buildings. Changes to your space must comply with NYC Department of Buildings, NYC Department of Health, and Fire Department regulations.
- **Sign your lease.** Before you sign, review your location with a licensed professional and a lawyer to make sure it is right for your business.



Food manufacturing spaces have many special requirements, so consider working with a professional who specializes in your type of business.



Check your kitchen's grease interceptor, or plan to install one. All commercial kitchens must capture grease from sinks, woks, floor drains, and other fixtures to prevent clogging pipes and sewer backups.

Basements often cannot be used as workspace, or for other uses beyond storage. Check with your licensed professional before you plan your basement.

Light fuel, such as charcoal and wood, must be stored carefully and in small amounts. Ingredients and equipment, such as alcohol and open flames, will affect which permits and licenses you need.



APPLY FOR CONSTRUCTION PERMITS

- Have your licensed professional submit plans and required documents to the NYC Department of Buildings.
- **Change and resubmit plans as needed.** If there are objections to the proposed work due to safety or compliance issues, your licensed professional will receive notice by email and resubmit the drawings with the necessary changes.
- Monitor your job on **NYC Department of Buildings BISWeb** (<http://on.nyc.gov/bis>). Your status will be listed as "Assigned to P/E (Plan Examiner)," "P/E in Process," "P/E Disapproved," or "Approved." The status does not reflect whether or not your licensed professional has resubmitted plans.
- Cooking on stoves or with gas ovens requires a range hood and fire suppression system. **Make sure your licensed professional files plans with the Fire Department.** Learn more at <http://on.nyc.gov/rangehood>.



A licensed professional may self-certify minor alterations online through a process called "professional certification" ("Pro Cert"). The application does not receive an initial NYC Department of Buildings plan review, but is subject to an audit. **Pro Cert could save you weeks in receiving your approvals and permits to start construction.**

Accelerate the plan review process for new buildings or major alterations that change a building's egress by directing your licensed professional to submit digital plans to the NYC Department of Buildings Hub. Learn more at <http://on.nyc.gov/hub>.



Consult with your licensed professional to identify utility requirements for your property (gas, electric, water, and sewer).

Use this starter guide to help you plan your way to success. Get started today at <http://on.nyc.gov/express>.



BEGIN CONSTRUCTION

- After your plans are approved, your architect or general contractor must apply for and receive all necessary permits. All permits **must be displayed** at the worksite.
- Begin construction.
- **Progress inspections will be made throughout construction.** Consult with your licensed professional about any required progress inspections.



PREPARE TO OPEN

- When the job is almost complete, your architect should arrange for final inspections and sign-off. To avoid violations, **you must obtain a Certificate of Occupancy, Temporary Certificate of Occupancy, or Letter of Completion** before opening your doors.
- **Obtain your Food Processing Establishment Permit** from the NY State Department of Agriculture & Markets at <http://on.nyc.gov/c20>.
- **Make sure you or one of your employees has a Food Protection Certificate.** Get a Food Protection Certificate by: a) taking an online class followed by an in-person test, or b) taking a 5-day in-person class. **Be sure to have a certificate holder on site supervising food preparation during all hours of operations.** Learn more at <http://on.nyc.gov/foodcert>.
- **Hire a private carting service** for waste removal. For more information, go to <http://on.nyc.gov/carter>.



If you want to label your products as halal or kosher, you must register with NY State Department of Agriculture & Markets.

If you are canning or processing foods, work with a process authority to help you meet US Food & Drug Administration regulations and to avoid product safety and quality issues.



Be sure to determine the **Federal labeling requirements and regulations** that pertain to your product. Learn more at <http://on.nyc.gov/fda-label>.

Contain risk of contamination hazards through a Hazard Analysis Critical Control Point Plan (or HACCP Plan). Learn more from the US Food and Drug Administration at <http://on.nyc.gov/fda-haccp>.



OPEN YOUR DOORS

You've opened your doors and are operating your business. **Congratulations!** Plan ahead to keep things running smoothly.



STAYING OPEN

Post all required posters and permits, such as a No Smoking sign and an occupational health and safety (OSHA) poster.

Mark your calendar. **Schedule equipment maintenance and set reminders** to renew your permits and licenses.

Be ready for inspections. These happen throughout the year, sometimes unannounced.

Monitor your goods to ensure you comply with expiration dates.

Work with your accountant to **prepare to pay taxes.** Learn more at <http://on.nyc.gov/biztax>.

NYC Business Express provides comprehensive information. Visit <http://on.nyc.gov/express>.

NYC Business Solutions can help resolve questions and move your business forward through permit and license approvals. Visit <http://on.nyc.gov/navigate> or call 311 and ask for "NYC Business Solutions Navigating Government."

NYC

Please provide feedback on this guide
<http://on.nyc.gov/guidesurvey1>

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